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For Immediate Release

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May 9, 2006

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BUSINESS OWNER SENTENCED FOR PENSION FUND FRAUD

Owner embezzled money from employee benefit plan

Shreveport, Louisiana . . . United States Attorney Donald W. Washington announced that **MICHAEL DEAN LONG**, who previously pleaded guilty to embezzlement and theft from an employee pension benefit plan subject to the Employee Retirement Income Security Act (ERISA) and making a false statement on documents required to be filed by ERISA, was sentenced yesterday by U.S. District Judge Tom Stagg in Shreveport.

LONG, age 45, of Plano, Texas, was sentenced to spend **24 months in prison**. **LONG** was also ordered to make restitution in the amount of \$24,619.

LONG was sentenced for theft and embezzlement of funds from an Employee Pension Benefit Plan and for making false statements in connection with an Employee Retirement Income Profit Sharing Plan, commonly called a “401(k) plan.” Testimony by U.S. Department of Labor Senior Investigator Rodney Williams at the sentencing hearing revealed that between March 1, 2001 and April 30, 2002, **LONG** failed to forward the money deducted from various employees of his business to fund their pension benefits to the institutional investor. Instead **LONG** converted and

used the money to pay other expenses not related to the pension fund. He then lied on a form required to be filed by ERISA concerning employee benefit funds.

BEVERLY HUTCHINS, age 45, formerly of Shreveport and now residing in California, was LONG's co-conspirator in this scheme and pleaded guilty to fraud. HUTCHINS was sentenced to 5 years probation. HUTCHINS was also ordered to pay restitution in the amount of \$24,619.

U.S. Attorney Washington stated: "People who work hard and save for their future retirement should not have their funds stolen by criminals like Mr. Long. Whenever possible, my office will aggressively protect pension programs through the vigorous enforcement of federal law. I applaud the U.S. Department of Labor for the investigative effort that brought Long to justice."

Roger Hilburn, Regional Director, Employee Benefit Security Administration, Department of Labor stated: "I hope this sends a clear message to all who transact business with employee benefit plans that the federal government will aggressively pursue those who deprive participants of their promised benefits. We will use all investigative resources of the federal government to pursue these cases."

Sentencing in federal court is determined by the discretion of federal judges and the governing statute. United States Sentencing Guidelines established by the United States Congress and the United States Sentencing Commission are only used as guidelines by the judge in determining the appropriate sentence. Parole has been abolished in the federal system.

This case was investigated by the United States Department of Labor and was prosecuted by Assistant United States Attorneys Earl Campbell and Robert W. Gillespie, Jr.

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